IN THE HIGH COURT OF JUDICATURE AT BOMBAY,

NAGPUR BENCH, NAGPUR

C.A.No.6650 of 2006 in L.P.A. St. No.10530 of 2006 in

Writ Petition No.2848 of 2001 (Decided)

-=-=-=

It is nodoubt true that the rights of the parties need to be decided on merits of the matter. However, it is also equally true that no preferential treatment can be given to the Corporations, statutory bodies owned by the State or Central Government while considering the aspect of condonation of delay. In the instant case, delay is of two years 39 days which, in our view, is inordinate and there is no justification whatsoever given by the petitioner which has resulted in causing such inordinate delay. The only reason which is coming forth is that the applicant was required to follow the procedure before initiating the proceedings in the Court. In our view, mere giving excuse of procedure is not sufficient to condone inordinate delay, unless there are some legitimate grounds which has resulted in causing inordinate delay. In the circumstances, application for condonation of delay is dismissed. Consequently, the Letters Patent Appeal is also dismissed as barred by limitation.

JUDGE JUDGE

ssj